

**REMARKS**

Preliminarily, Applicants respectfully request the Examiner to approve the formal drawing filed June 13, 2002.

Also, Applicants affirm the election of Group I, claims 1-6 for prosecution, without traverse. Withdrawn claims 7 and 8 have been amended to include all of the limitations of claims 5 and 1, respectively. Upon indication of allowable product claims, Applicants respectfully request rejoinder pursuant to MPEP § 821.04. Under these circumstances, the MPEP specifically provides for rejoinder of process claim 8. As to claim 7 (zero-gap type electrolytic cell), because the electrode-membrane assembly of claim 5 is patentable over the prior art, so is the claimed zero-gap type electrolytic cell comprising the same electrode-membrane assembly.

Review and reconsideration on the merits are requested.

Claims 1-6 were rejected under 35 U.S.C. § 112, second paragraph. The Examiner considered claims 1 and 5 as lacking antecedent basis with respect to "said electrode".

Applicants respond as follows.

The subject electrode referred to in claims 1 and 5 is the at least one porous electrode into which either the thermoplastic resin membrane or ion exchange membrane penetrates. See the specification bridging pages 9-10, and particularly at page 10, lines 1-6.

In view of the above, claims 1, 5 and 8 have been amended to recite that at least one of the electrodes is a porous electrode, and that the thermoplastic resin membrane or ion exchange

membrane which is interposed between the two electrodes partly penetrates into the pores of the at least one porous electrode.

It is respectfully submitted that the claims as amended fully comply with 35 U.S.C. § 112, and withdrawal of the foregoing rejection is respectfully requested.

Withdrawal of all rejections and allowance of claims 1-8 is earnestly solicited.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



---

Abraham J. Rosner  
Registration No. 33,276

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: July 28, 2004